



THE CITY OF NEW YORK
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August 9, 2019

BY ECF

Honorable Robert M. Levy
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 10007

Re: Devan Billups v. City of New York, et al.
18 CV 4023 (ARR) (RML)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney for defendant City of New York in this matter. I write jointly with plaintiff's counsel, Alan Levine, to provide a status report in accordance with the Court's June 19, 2019 Order. (ECF Docket Entry dated June 19, 2019.)

By way of background, plaintiff bring this action, pursuant to 42 U.S.C. § 1983, alleging that, on or about April 21, 2017, while he was in Department of Correction ("DOC") custody, he was subjected to violations of his Fourteenth Amendment rights, including, *inter alia*, deliberate indifference to medical needs, negligence, and negligent training and supervision. Since the parties' June 19, 2019 status conference, this Office has been working with DOC to identify the purported defendants. Specifically, on June 18, 2019, the undersigned received plaintiff's responses to defendant's identification interrogatories, wherein plaintiff provided descriptions of the "John Doe" defendants. The undersigned then provided these descriptions to DOC, and DOC officials have been attempting to identify the purported defendants from the descriptions provided by plaintiff. At this time, however, the "John Doe" defendants have not been identified. The parties are continuing with discovery, though, and are currently working to schedule plaintiff's deposition.

Accordingly, the parties submit this status report in accordance with the Court's June 19, 2019 Order. The parties thank the Court for its time and consideration.

Respectfully submitted,

/s/

Kathleen D. Reilly
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY ECF**
Alan D. Levine, Esq., *Attorney for Plaintiff*